

HOUSE BILL 1245

By Powers

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 23, relative to the death penalty.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-23-114(e), is amended by deleting the language "subdivision (e)(1) or (e)(2)" wherever it appears in the subsection and substituting instead the language "subdivision (e)(1), (e)(2), or (e)(3)" and by adding the following as a new subdivision:

(3) The commissioner certifies to the governor that the department is unable to adhere to the lethal injection protocol required to carry out a sentence of death.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.